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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,286	08/31/2000	Takehiro Kaminagayoshi	397.15.01	4293

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EXAMINER

GOOD JOHNSON, MOTILEWA

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 09/24/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/653,286	KAMINAGAYOSHI ET AL.
	Examiner Motilewa A. Good-Johnson	Art Unit 2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 14 August 2003.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-19 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-19 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____.
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

1. This office action is responsive to the following communications: Application, filed on 08/31/2000; IDS, paper #6, filed on 10/07/2002; Amendment A, filed 03/10/2003.

**This action is made final.**

2. Claims 1-19 are pending in this application. Claims 1, 6, 7 and 12 are independent claims. Claims 13-19 have been added. No claims have yet been amended.

3. The present title of the application is "Entertainment System, Entertainment Apparatus, Recording Medium, and Program Providing Color Coded Display Messages" (as amended).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al., U.S. Patent Number 6,296,570 B1, "Video Game System and Video Game Memory Medium", class 463/30, 10/02/2001, filed 04/24/1998.

As per independent claim 1, an entertainment system comprising: an entertainment apparatus for executing various programs; at least one manual controller for inputting a manual control request . . . ; (Miyamoto discloses a manual controller for input means, col. 5, lines 40-44, see also figure 1, element 40) a display monitor for displaying an image . . . ; (Miyamoto discloses a display, figure 2, element 31) and message display means for displaying a message . . . in a same color. (Miyamoto discloses a message processing program area for processing a message helpful for operation of the environment, col. 9, lines 63 – col. 10, line 3)

However, it is noted that Miyamoto fails to disclose word of a same type in meaning in a same color on the displayed message. Miyamoto discloses displaying different color of the buttons in addition to the message for indicating how to perform the operation given by the message, col. 13, lines 28-35. It would have been obvious to one of ordinary skill in the art at the time of the invention to include words with the same type in meaning in the same color, to coordinate the color button with the word for the operation being performed and therefore when a user sees certain action words the user would know by the color of the word which button is associated with the action.

With respect to dependent claim 2, message data to be processed by said message displaying means comprises a plurality of combinations . . . and a display color code . . . (Miyamoto discloses a literal code area for displaying literal messages on the display, col. 10, lines 4-14, and further discloses associating the sound with the message) However, it is noted that Miyamoto fails to disclose color codes. It would have been obvious to one of ordinary skill in the art at the time of the invention to

include words with the same type in meaning in the same color, to coordinate the color button with the word for the operation being performed and therefore when a user sees certain action words the user would know by the color of the word which button is associated with the action.

With respect to dependent claim 3, message determining means comprises display a color code setting means . . . However, it is noted that Miyamoto fails to disclose color code setting means. (Miyamoto discloses displaying different color of the buttons in addition to the message for indicating how to perform the operation given by the message, col. 13, lines 28-35) It would have been obvious in setting the color code for the button to set the color code for the word associated with the action in the literal code area to allow a user to associate words with buttons for action on the game.

With respect to dependent claim 4, message displaying means comprises message frame display means for displaying a message frame containing said message. (Miyamoto discloses in figure 9, element 31a)

With respect to dependent claim 5, message frame displaying means comprises message frame determining means for determining a display area of said message frame based on the number of characters in said message and display area of main objects . . . (Miyamoto discloses message phrases in display area are output in different ways depending on the kind and scene, col. 13, lines 11-23)

As per independent claims 6 and 7, they are rejected based upon similar rational as above independent claim 1.

With respect to dependent claims 8-11, they are rejected based upon similar rational as above dependent claims 2-5.

As per independent claim 12, it is rejected based upon similar rational as above independent claim 1.

With respect to dependent claims 13-19, determine if a predefined action has been performed, and to display a first word of the same type in meaning in said message in an alternate color. (Miyamoto discloses detecting a condition and generating a phrase at the same time, col. 13, lines 11-45) However, it is noted that Miyamoto fails to disclose color code setting means. (Miyamoto discloses displaying different color of the buttons in addition to the message for indicating how to perform the operation given by the message, col. 13, lines 28-35) It would have been obvious in setting the color code for the button to set the color code for the word associated with the action in the literal code area to allow a user to associate words with buttons for action on the game.

***Response to Amendment***

6. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

***Response to Arguments***

7. Applicant's arguments filed 08/14/2003 have been fully considered but they are not persuasive.

Applicant arguments on pages 3 and 4, that Miyamoto concept of different colored buttons is different from Applicants invention in which words of a message are displayed in a same color. Miyamoto discloses allowing a user to easily proceed to forward scenes where complicated operations are required. Miyamoto further discloses message data generation means for generating a message on an operating way of the operating means, in which color is introduced for indicating how to perform the operation given by the message, col. 13, lines 28-35. It therefore would have been obvious to include words with the same type in meaning in the same color, to coordinate the color button with the word in the message, for the operation being performed to know by the color of the word which button is associated with the action. Applicant argues that the invention of Applicant if for role playing, Miyamoto further discloses "the player object is assumed to be a fighter, which indicates role playing, col. 13, lines 25-26.

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

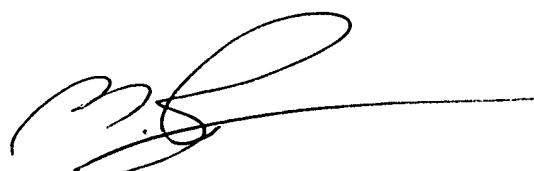
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa A. Good-Johnson whose telephone number is (703) 305-3939. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Motilewa A. Good-Johnson  
Examiner  
Art Unit 2672

mgj  
September 17, 2003



MICHAEL RAZAVI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600